

Amendment to the claims

This listing of claims will replace all prior versions and listings of claims in the application:

Please cancel claims 1-38

1. (Withdrawn) A projectile comprising a gas seal, a gas absorption zone, a core hull, a mass of projectile core particles within the hull and an actuator member, said actuator member being releasably fixed to the hull and having at least one stem member, said at least one stem member projecting into said mass of projectile core particles, said actuator member being at the impact end of said hull and said absorption zone being upstream of said core particles.

2. (Withdrawn) The projectile of claim 1, wherein said hull is a soft plastic that is characterized by peeling back on itself on impact, thereby releasing said mass of core particles.

3. (Withdrawn) The projectile of claim 1, wherein each of said core particles have a diameter substantially in the range from about .02 of an inch to about .13 of an inch.

4. (Withdrawn) The method of impacting a target with a projectile, said projectile comprising a gas seal, a gas absorption zone, a core hull, a mass of projectile core particles within the hull and an actuator, said actuator being releasably fixed to the hull, said actuator being at the impact end of said hull and said absorption zone being upstream of said core particles, comprising the steps of firing said projectile at a target, impacting a target with said projectile, generating a pressure wave in advance of said projectile, peeling said hull backward upon itself and releasing said radial dispersion control member and said mass of projectile core particles, said radial dispersion control member initially maintaining said projectile core particles in a confined zone, within said confined zone said mass of projectile core particles having an impact effect substantially equivalent to that of a unitary projectile, thereafter dispersing said projectile core particles in an progressively expanding pattern such that the particles travel as substantially

discrete individual particles and upon impact with a secondary target produce a plurality of individual impacts.

5. (Withdrawn) The method of claim 4, wherein said core particles substantially start passing said radial dispersion after traveling at least about six feet from the impact of said target.

6. (Withdrawn) The method of claim 4, wherein said actuator has a stem member, the core particles enclose said stem member, and said projectile core particles are maintained in a substantially confined zone for a distance of up to about six feet.

7. (Withdrawn) The method of impacting a target with a projectile, said projectile comprising a absorption zone, a hull, a mass of projectile core particles within the hull and a actuator, the actuator being releasably fixed to the hull, said actuator being at the impact end of said shell and said absorption zone being upstream of said core particles, comprising the steps of

- a. igniting an explosive charge thereby projecting said projectile,
- b. absorbing said explosive charge impact and preventing said core particles from compressing into a unified structure,
- c. maintaining said core particles contained within said hull until a target is impacted by said projectile,
- d. impacting a target,
- e. upon impact with said target, peeling said hull back upon itself and thereby releasing said mass of core particles from their containment within said hull.

8. (Withdrawn) The method of claim 7, further comprising the step maintaining said core particles in a substantially cohesive mass for a distance of at least about three feet, and

radially dispersing substantially said entire mass of core particles at least about three feet after the impact with said target.

9. (Withdrawn) The method of claim 7, further comprising the step of producing a zone of lethal impact by maintaining said core particles in a substantially cohesive mass behind said actuator after initial impact with said target.

10. (Withdrawn) The method of claim 7, further comprising the step of initially maintaining said projectile core particles in a confined zone, within said confined zone said mass of projectile core particles having a lethal impact effect substantially equivalent to that of a unitary projectile, thereafter dispersing said projectile core particles in an progressively expanding pattern such that the particles travel as substantially discrete individual particles and upon impact with a secondary target produce a plurality of non-lethal individual impacts.

11. (Withdrawn) The method of claim 7, wherein said confined zone is up to about six feet from the impact with said target.

12. (Withdrawn) The method of claim 11, wherein said confined zone is up to about three feet from the impact with said target.

13. (Withdrawn) The method of impacting a target with a projectile, said projectile comprising a absorption zone, a hull, a mass of projectile core particles within the hull and a actuator, the actuator being releasably fixed to the hull and an actuator, said actuator being at the impact end of said shell and said absorption zone being upstream of said core particles, comprising the steps of:

- a. igniting an explosive charge thereby projecting said projectile,
- b. absorbing said explosive charge impact and preventing said core particles from compressing into a unified structure,

- c. maintaining said core particles contained within said shell until a target is impacted by said shell,
- d. impacting a target,
- e. upon impact with said target, releasing said mass of core particles from said hull as a cohesive group of lethal individual particles, and
- f. thereafter radially dispersing substantially said entire mass of core particles to produce a mass of non-lethal individual impact particles.

14. (Withdrawn) The method of claim 13, wherein said step of releasing said mass of core particles from said hull as a cohesive group of individual particles, further comprises maintaining substantially said entire mass of core particles in a confined zone behind said actuator, said actuator being maintained in a substantially straight line trajectory by core particles that engage said actuator.

15. (Withdrawn) The method of claim 13, wherein, upon impact of said projectile with said target, the forward movement of said actuator is preceded by a shock wave, said target being initially impacted by said shock wave.

16. (Withdrawn) The method of claim 13, further comprising the step of initially maintaining said projectile core particles in a confined zone after releasing said mass of core particles from said hull as a cohesive group of individual particles, within said confined zone said mass of projectile core particles having a lethal impact effect substantially equivalent to that of a unitary projectile, thereafter dispersing said projectile core particles in an progressively expanding pattern such that the particles travel as substantially discrete individual particles and upon impact with a secondary target produce a plurality of non-lethal individual impacts.

17. (Withdrawn) The method of claim 16, wherein said confined zone is up to about six feet from the impact with said target.

18. (Withdrawn) The method of claim 17, wherein said confined zone is up to about three feet from the impact with said target.

19. (Withdrawn) The method of impacting a target with a projectile having a plurality of small particles encased in a hull, comprising the steps of:

- a. separating said hull from said plurality of small particles upon impact with a target,
- b. maintaining said plurality of small particles in the form of a cohesive mass of lethal particles for a distance of at least about two feet from the point of impact with said target,
- c. thereafter breaking apart said cohesive mass of particles into individual non-lethal, radially dispersing particles.

20. (Withdrawn) The method of claim 19, the step of initially maintaining said plurality of small particles in the form of a cohesive mass of particles provides said plurality of small particles with a lethal impact effect substantially equivalent to that of a unitary projectile.

21. (Withdrawn) The method of claim 19, wherein breaking apart said cohesive mass of particles causes that particles to act as discrete individual particles and upon impact with a secondary target produce a plurality of individual non-lethal impacts.

22. (Withdrawn) The method of claim 21, wherein said particles break apart and act as discrete individual non-lethal particles after traveling no greater than about ten feet from said point of impact with said target.

23. (Withdrawn) The method of claim 22, wherein said particles break apart and act as discrete individual particles after traveling no greater than about six feet from said point of impact with said target.

24. (Withdrawn) The method of claim 23, wherein said particles break apart and act as discrete individual particles after traveling no greater than about three feet from said point of impact with said target.

25. (Withdrawn) The projectile of claim 1, wherein said hull is a cylindrical member having an open end, said actuator having an exterior side and an interior side and being releasably fixed to said hull open end to close said hull open end, whereby said actuator is released from its being releasably fixed to said hull open end upon impact with a target.

26. (Withdrawn) The projectile of claim 25, wherein said hull has an internal channel proximate its open end and said actuator has a peripheral, circular ring mounted in said hull internal channel.

27. (Withdrawn) The projectile of claim 25, wherein said actuator has a truncated conical section having tapered sides, said tapered sides having its greatest radial dimension at its exterior side.

28. (Withdrawn) The projectile of claim 27, wherein said at least one stem member is a centrally positioned cylindrical member.

29. (Withdrawn) The projectile of claim 26, wherein said actuator has a truncated conical section having tapered sides, said tapered sides having its greatest radial dimension at its exterior side, and said circular ring being on the interior side of said truncated conical section of said actuator.

30. (Withdrawn) A method of controlling the release of energy from a projectile upon impact, comprising the steps of controlling the expansion of the projectile by;

- a. converting said projectile upon an initial impact from a unitary structure to an expanding body of individual particles,
- b. maintaining said individual particles as a unitary mass of particles for a predetermined first distance, and thereafter,
- c. dispersing said unitary mass of particles into discrete particles non-lethal particles.

31. (Withdrawn) The method of claim 30 wherein said mass of unitary particles initially function as a slug in step (a) then in step (b) acts like a slug of substantially increased diameter and in step (c) disperse and are non-lethal discrete particles.

32. (Withdrawn) (number skipped in the original application)

33. (Withdrawn) The method of claim 31, wherein step (c) occurs to a distance of about three feet and preferably within ten feet from initial impact.

34. (Withdrawn) The method of claim 30, wherein said controlling of the expansion of said mass of unitary particles into discrete particles projectile comprises the steps of confining said particles in a hull, tearing said hull away from the particles at a predetermined rate, thus producing a predetermined rate of expansion of said particles immediately subsequent to said initial impact.

35. (Withdrawn) The method of claim 34, wherein said hull is peeled back upon itself as a result of the contact of said hull with an object.

36. (Withdrawn) The method of claim 35, wherein said peel back of said hull is controlled so as to release said particles within, on the order of about one thousandth of a second.

37. (Withdrawn) The method of claim 34, further comprising maintaining said unitary particles substantially confined by a substantially planar member for up to at least about one foot of travel after initial impact.

38. (Withdrawn) (number skipped in the original application)

The remainder of the claims are amended as follows:

39. (currently amended) The method of impacting a target with a projectile, said projectile comprising an absorption zone, a hull, a mass of core particles within said hull and an actuator, said actuator being releasably fixed to an impact end of said hull and said absorption zone being upstream of said core particles, comprising the steps of:

- a. impacting said target with said hull containing said actuator and said mass of core particles,
- b. releasing said actuator and said mass of core particles from said hull during a first impact, and maintaining said mass of core particles as a lethal unitary mass, on a substantially straight trajectory behind said actuator, for a first predetermined distance after said first impact,
- c. radially dispersing said lethal unitary mass over a second predetermined distance to produce a mass of non-lethal individual particles.

40. (currently amended) The method of claim 39, wherein the hull peels back away from said mass of core particles at a rate substantially equal to that of the velocity of the projectile thereby maintaining substantially all of said lethal unitary mass in a confined mass

behind said actuator and providing a controlled, first predetermined distance of lethality beyond said first impact.

41. (original) The method of claim 39, wherein a secondary impact of said lethal unitary mass with a target is preceded by a shock wave.

42. (currently amended) The method of claim 39, further comprising the step of maintaining said lethal unitary mass, for said first predetermined distance, beyond said first impact with a lethal impact substantially equal to that of a unitary projectile.

43. (currently amended) The method of claim 39, wherein said first predetermined distance is up to about six feet beyond said first impact.

44. (currently amended) The method of claim 39, wherein said first predetermined distance is up to about three feet beyond said first impact.

45. (currently amended) A method of controlling the release of energy from a fired projectile, comprising the steps of:

- a. releasing from said projectile, during an initial impact, an actuator leading a unified, cohesive structure of individual particles,
- b. maintaining said individual particles in said unified, cohesive structure behind said actuator for a first predetermined distance,
- c. expanding said unified, cohesive structure into a increasingly less unified structure over a second predetermined distance,
- d. radially dispersing said structure, after said second predetermined distance, into discrete non-lethal particles.

46. (currently amended) The method of claim 45 further comprising the step of said unified, cohesive structure functioning as a slug in step (b); acting like a slug of substantially increased diameter in step (c); and dispersing into non-lethal discrete particles in step (d).

47. (currently amended) The method of claim 45, further comprising the step of step (c) occurring at a distance between about three feet and about six feet from said initial impact.

48. (original) The method of claim 45 further comprising the steps of:

- a. confining said particles in a hull,
- b. peeling back and away said hull from said particles, during said first impact, at a predetermined peel back rate,
- c. wherein said predetermined peel back rate produces a controlled rate of release of said particles immediately subsequent to said initial impact.

49. (original) The method of claim 48 wherein said predetermined peel back rate is substantially equal to the velocity of said projectile.

50. (original) The method of claim 48, wherein said hull is configured to peel back and release said unified, cohesive structure of individual particles on the order of about one ten thousandth of a second.

51. (currently amended) The method of impacting a target with a projectile having a plurality of small particles encased in a hull, comprising the steps of:

- a. maintaining said plurality of small particles within said hull until during initial impact,
- b. maintaining said plurality of small particles in the form of a cohesive lethal mass of particles for a distance of between at least about two feet to about ten feet beyond the point of said initial impact,

- c. dispersing said cohesive lethal mass of particles after said distance into individual non-lethal, radially dispersing particles.

52. (original) The method of claim 51, further comprising the step of initially maintaining said plurality of small particles in the form of a cohesive lethal mass to provide said plurality of small particles with a lethal impact effect substantially equivalent to that of a unitary projectile.

53. (original) The method of claim 51, further comprising the step of said particles dispersing and acting as discrete individual non-lethal particles after traveling no greater than about ten feet beyond said point of initial impact.

54. (currently amended) The method of claim 51, further comprising the step of said particles dispersing and acting as discrete individual non-lethal particles after traveling about six feet beyond said point of initial impact.

55. (withdrawn) The method of claim 51, further comprising the step of said particles dispersing and acting as discrete individual non-lethal particles after traveling no greater than about three feet from said point of initial impact.

56. (currently amended) The method of claim 51, further comprising the step of maintaining said small particles in said cohesive mass behind an actuator, said actuator having a periphery, an exterior side and an interior side and being releasably fixed to an impact end of said hull, said initial impact peeling back said impact end of said hull and releasing said actuator.

57. (currently amended) The method of claim 56, wherein said actuator periphery has a tapered conical side, said tapered conical side having its greatest radial dimension at said exterior side.

58. (currently amended) The method of claim 56, wherein actuator has a stem member, said stem member being centrally positioned and extending from said interior side of said actuator into said cohesive mass.

59. (currently amended) The method of claim 57, further comprising the step of affixing said actuator to said hull impact end with a circular ring on said interior side of said tapered conical side of said actuator.

60. (currently amended) The method of impacting a target located beyond a first impact zone with a projectile, said projectile comprising an absorption zone, a hull, a mass of core particles within said hull and a radial dispersion control member, said radial dispersion control member being releasably fixed to said hull at an impact end and said absorption zone being upstream of said core particles, comprising the steps of:

- a. impacting a first impact zone with said projectile,
- b. peeling said hull back upon itself during said impact, and releasing said radial dispersion control member and said mass of core particles, said radial dispersion control member and said mass of core particles generating a pressure wave in advance of said mass of core particles, said radial dispersion control member maintaining said core particles in a unified mass for a first predetermined controlled distance after penetration of said first impact zone,
- c. dispersing said projectile core particles in a progressively expanding pattern such that said core particles no longer act as a unitary projectile and travel as substantially discrete individual particles, wherein impact with a target within said first predetermined distance is equivalent to a lethal unitary projectile and

impact beyond said first predetermined distance is a non lethal plurality of individual impacts.

61. (currently amended) The method of claim 60, wherein said core particles substantially start passing said radial dispersion control member after traveling at least about six feet from said first impact zone.

62. (currently amended) The method of claim 60, wherein said radial dispersion control member has a stem member, said stem member being surrounded and controlled by said mass of projectile core particles, said mass of projectile core particles being maintained in a substantially unified mass.

Please add the following new claim:

63. (new) The method of claim 39 wherein said first predetermined distance is determined by said actuator configuration.

CONCLUSION

Applicant believes that the above re-submitted "Amendment to the Claims" addresses the concerns in the Notice of Non-Compliant Amendment. Applicant respectfully requests that the amendment of September 15, 2003 now be entered.

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Respectfully Submitted,

By: 

Sheldon H. Parker
Reg. No. 20,738

Parker and DeStefano
300 Preston Avenue, Suite 300
Charlottesville, Virginia 22903
Phone: (434) 817-6606
Fax: (434) 817-6610
Email: info@e-patentlaw.com